

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56689 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- BIKRAM District- Patna

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PAPPU KUMAR S/O RAJENDRA RAI R/O VILLAGE- KHASPUR, PS.
MANER, DIST. PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-08-2023 On call, no one appears on behalf of the petitioner although Mr. Jitendra Kumar Singh, learned APP for the State is present.

The petitioner is an accused in connection with Bikram P.S. Case No. 63 of 2023 registered for the offences under section 379 of the Indian Penal Code lodged on 07.02.2023 by the informant, Satish Kumar.

As per the prosecution story, the allegation is that two motorcycles of the informant kept outside near the DAV School were stolen. Accordingly, the FIR.

The petition shows that one Ravi Bhushan was arrested and he confessed the name of this petitioner. Accordingly, he was arrested and as per the petition, neither there is any recovery from him nor any T.I.Parade conducted.



Further, he is in custody since 29.04.2023 (as stated in paragraph 11 of the bail application).

Learned APP for the State, on the other hand, opposes the prayer for bail stating that he is accused in three such cases of same nature.

Considering the fact that the his name has come in the confessional statement, there is no recovery, no T.I.Parade conducted, this Court is inclined to extend him privilege of bail but only after framing of the charges since he has criminal antecedent of same nature.

Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned A.C.J.M.VI, Danapur at Patna in connection with Bikram P.S. Case No. 63 of 2023, subject to the following conditions-:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail



bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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